

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**DAVID KINLOCK, on behalf of
himself and all others similarly
situated,**

Plaintiff,

v.

**HEALTHPLUS SURGERY
CENTER, LLC,**

Defendant.

Civil Action No. 19-962 (WJM)
(Lead Docket)

**C.S., Individually and as a Class
Representatives,**

Plaintiffs,

v.

**HEALTHPLUS SURGERY
CENTER, LLC, et al.,**

Defendants.

Civil Action No. 19-964 (WJM)
(Consolidated)

**LAUREN MARRERO & JULIO C.
MARRERO,**

Plaintiffs,

v.

**HEALTHPLUS SURGERY
CENTER, LLC,**

Defendant.

Civil Action No. 19-965 (WJM)
(Consolidated)

**DUANNE WINLEY-DUNK, on her own
behalf, and on behalf of those similarly
siutuated,**

Plaintiffs,

v.

**HEALTHPLUS SURGERY CENTER,
LLC,**

Defendant.

**Civil Action No. 19-5906 (WJM)
(Consolidated)**

ORDER

THESE MATTERS having come before the Court for an Initial Pretrial Conference on April 12, 2019;

and the Court having discussed with the parties consolidation of *Kinlock v. Healthplus Surgery Center, LLC*, 19-962 (WJM), *C.S. v. Healthplus Surgery Center, LLC et al.*, 19-964 (WJM), *Marrero et al. v Healthplus Surgery Center, LLC*, 19-965 (WJM) and *Winley-Dunk v. Healthplus Surgery Center LLC*, 19-5906 (WJM) under the proposed lead docket of Civ. A. No. 19-962;

and it appearing that “if actions before the court involve a common question of law or fact, the court may . . . consolidate the actions.” Fed. R. Civ. P. 42(a);

and it appearing that Rule 42 “confers upon a district court broad power, whether at the request of a party or upon its own initiative, to consolidate cases for trial as may facilitate the administration of justice,” *Ellerman Lines, Ltd. v. A. & Gulf Stevedors, Inc.*, 339 F.2d 673, 675 (3d Cir. 1964);

and the purpose of consolidation being to “streamline and economize pretrial proceedings so as to avoid duplication of effort, and to prevent conflicting outcomes in cases involving similar legal and factual issues,” *see, e.g., In re TMI Litig.*, 193 F.3d 613, 724 (3d Cir. 1999);

and, here, it appearing that all four cases involve common questions of law and fact and common parties, including claims for negligence arising out of medical procedures performed by Healthplus Surgery Center, LLC;

and it further appearing that consolidation will avoid unnecessary costs and delay in case management, motion practice, and discovery;

and it appearing that all parties consent to the cases being consolidated for discovery purposes and agree that consolidation is without waiver or prejudice as to any pending motion to remand;

IT IS on this 16th day of April 2019,

ORDERED that, the cases *Kinlock v. Healthplus surgery Center, LLC*, 19-962 (WJM), *C.S. v. Healthplus Surgery Center, LLC et al.*, 19-964 (WJM), *Marrero et al. v Healthplus Surgery Center, LLC*, 19-965 (WJM), and *Winley-Dunk v. Healthplus Surgery Center LLC*, 19-5906 (WJM) are hereby consolidated for discovery purposes only under the lead docket of Civ. A. No. 19-962.

s/Mark Falk
MARK FALK
United States Magistrate Judge